

Message Text

CONFIDENTIAL

PAGE 01 MEXICO 05241 212107Z

62

ACTION EB-11

INFO OCT-01 ARA-16 IO-14 ISO-00 FEA-02 SSO-00 NSCE-00 SS-20

NSC-07 INRE-00 OMB-01 TAR-02 SP-03 SWF-02 AGR-20

AID-20 CIAE-00 COME-00 INR-10 LAB-06 NSAE-00 OIC-04

RSC-01 SIL-01 STR-08 CIEP-02 CEA-02 L-03 USIE-00

PRS-01 PA-04 DRC-01 AF-10 EA-11 EUR-25 NEA-14 /222 W

----- 113180

O P 211900Z JUN 74

FM AMEMBASSY MEXICO

TO SECSTATE WASHDC IMMEDIATE 2328

DEPT OF TREASURY WASHDC PRIORITY

INFO USUN NEWYORK 715

USMISSION GENEVA

C O N F I D E N T I A L MEXICO 5241

E.O. 11652 N/A

TAGS: EGEN, UNCTAD

SUBJ: UNCTAD CHARTER OF ECONOMIC RIGHTS AND DUTIES

TREASURY PASS BRADFIELD

REF: STATE 132502

1. PARA 13: USDEL GREATLY APPRECIATES REFTEL AND WILL MAKE EVERY EFFORT OBTAIN GROUP B SUPPORT FOR ALTERNATIVE TO "FREE OF ANY CONDITIONS CONFLICTING WITH THE INTERESTS OF DEVELOPING COUNTRIES". ONLY ALTERNATIVE WHICH MAY BE AT ALL VIABLE IS PREVIOUS MEXICAN FORMULATION " "FREE OF ANY CONDITIONS IMPINGING UPON THEIR SOVEREIGNTY". FAILING AGREEMENT USDEL WILL PROCEED AS INSTRUCTED PARA 3 REFTEL.

2. USDEL PROPOSED REPLACEMENT OF "DUTY TO ENDEAVOR TO ELIMINATING", BUT GROUP HAS NOT YET REACTED. HOWEVER, PARA 4 NOW DEADLOCKED OVER AFRICAN INSISTENCE ON INSERTION LANGUAGE CALLING
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PAGE 02 MEXICO 05241 212107Z

FOR IMMEDIATE END TO "FOREIGN OCCUPATION, COLONIALISM AND NEO-

COLONIALISM, APARTHEID, RACIAL DISCRIMINATION AND ALIEN DOMINATION AND EXPLOITATION" WHICH FIRMLY RESISTED BY GROUP B ON GROUNDS SUCH POLEMICAL FORMULATIONS HAVE NO PLACE IN CHARTER. UNLESS AFRICANS WITHDRAW THEIR AMENDMENT, THERE WILL BE NO NEED ADDRESS OPERATIVE LANGUAGE. IF THEY DO SO, USDEL WILL PRESS ITS AMENDMENT AND ACCEPT "DUTY TO ENDEAVOR" ONLY IF OUR AMENDMENT UNACCEPTABLE TO GROUP.

3. ON PARA 6-BIS CHINESE MAINTAINED THEIR INSISTENCE ON DELETION OF PHRASE "IN PARTICULAR THROUGH THE APPROPRIATE INTERNATIONAL ORGANIZATIONS AND IN ACCORDANCE WITH THEIR RULES". THIS WAS FIRMLY RESISTED BY ALL MEMBERS OF GROUP B, WHO INDICATED PARA ACCEPTABLE TO THEM AS IT STANDS. IN EFFORT TO REACH COMPROMISE MEXICANS PRIVATELY CIRCULATED AND INTENSIVELY DISCUSSED WITH CHINESE FOLLOWING TEXT TO BE PLACED AFTER EXISTING SENTENCE WHICH WOULD REMAIN UNCHANGED: "IN THIS CONTEXT, STATES SHOULD COOPERATE TO STRENGTHEN AND CONTINUOUSLY IMPROVE THE EFFICIENCY OF INTERNATIONAL ORGANIZATIONS IN IMPLEMENTING MEASURES TO STIMULATE THE GENERAL ECONOMIC PROGRESS OF ALL COUNTRIES, PARTICULARLY OF DEVELOPING COUNTRIES, AND THEREFORE SHOULD COOPERATE TO ADAPT THEM, WHEN APPROPRIATE, TO THE CHANGING NEEDS OF INTERNATIONAL ECONOMIC COOPERATION." INITIAL REACTION OF MOST GROUP B COUNTRIES INCLUDING U.S. WAS THAT MEXICAN PROPOSAL COULD BE ACCEPTABLE IF IN FACT EXISTING TEXT REMAINS UNCHANGED. HOWEVER, USDEL CONTEMPLATED PROPOSE REPLACEMENT OF "TO ADAPT THEM WHEN APPROPRIATE TO" BY "SO THAT THESE ORGANIZATIONS MEET". FOREGOING OVERTAKEN BY EVENTS JUNE 20 P.M. AT INFORMAL SMALL GROUP MEETING CONVENED AT MEXICAN INITIATIVE, MEXICANS PROPOSED FOLLOWING TEXT TO REPLACE CLAUSE OBJECTIONABLE TO CHINESE: "AND THE RULES OF THE RELEVANT INTERNATIONAL ORGANIZATIONS SHOULD BE DESIGNED TO MAKE POSSIBLE SUCH PARTICIPATION". ORIGINALLY PROPOSED SECOND SENTENCE QUOTED ABOVE WITHDRAWN BY MEXICANS. CHINESE DEL STATED NEW MEXICAN FORMULATION ACCEPTABLE. USDEL AND JAPAN LEFT NO HOPE THAT PROPOSAL COULD BE ACCEPTABLE TO THEIR DELEGATIONS OR TO GROUP B AS A WHOLE. IN COURSE OF DISCUSSION USDEL AND JAPAN STRONGLY URGED CHINESE AND 77 TO LEAVE FIRST SENTENCE AS AGREED BY ALL BUT CHINA AT 3RD SESSION AND TO WORK ON DRAFTING SECOND SENTENCE, ALONG LINES OF ORIGINAL MEXICAN PROPOSAL. ANOTHER IDEA GIVEN CONSIDERATION WAS POSSIBLY TO AMEND CLAUSE IN QUESTION AS FOLLOWS: "INTER ALIA THROUGH THE APPROPRIATE INTERNATIONAL CONFIDENTIAL

CONFIDENTIAL

PAGE 03 MEXICO 05241 212107Z

ORGANIZATIONS IN ACCORDANCE WITH THEIR EXISTING RULES OR THOSE TO BE EVOLVED TO THAT END". USDEL AND JAPAN EXPRESSED GRAVEST DOUBT SUCH AMENDMENTS WOULD BE ACCEPTABLE, BUT AGREED REPORT PROPOSAL TO GROUP B, AND TO CAPITALS. US DEL OBVIOUSLY OPPOSED TO PROPOSAL BUT REQUESTS DEPARTMENT VIEWS SOONEST.

4. GROUP HAS REACHED LARGE MEASURE OF AGREEMENT ON FOLLOWING AS FIRST SENTENCE OF PARA 15 "ALL DEVELOPED COUNTRIES AND OTHER

COUNTRIES WITH THE CAPACITY TO DO SO SHOULD PROMOTE AN INCREASED NET FLOW OF REAL RESOURCES TO DEVELOPING COUNTRIES, UNDER FAVORABLE TERMS AND CONDITIONS, IN ORDER TO REINFORCE THE EFFORTS OF DEVELOPING COUNTRIES TO ACCELERATE THEIR ECONOMIC AND SOCIAL DEVELOPMENT." WORDS "NET" AND "REAL" REMAIN IN BRACKETS BUT EC-9 AND JAPAN HAVE TOLD USDEL PRIVATELY THEY NOW HAVE AUTHORITY ACCEPT WORD "REAL". LDC'S STILL PUSHING VIGOROUSLY FOR FORMULATION "NET FLOW OF REAL RESOURCES", WHICH THEY CLAIM WAS ACCEPTED BY C-20 DEPUTIES ON JUNE 15. IRAQ AND MOROCCO, REPRESENTING VIEWS ARAB OIL PRODUCERS, CLEARLY DISLIKE ANY REFERENCE TO "OTHER COUNTRIES WITH A CAPACITY TO DO SO" BUT ARE EXPERIENCING SOME PRESSURE FROM 77 AND MAY ULTIMATELY ACCEPT REFERENCE. EC-9 HAVE PROPOSED INSERTION OF FOLLOWING BETWEEN "PROMOTE" AND "AN": "TAKING INTO ACCOUNT THEIR RESPECTIVE ECONOMIC ABILITIES". EC-9 ARGUES PHRASE WOULD APPLY WITH EQUAL FORCE TO DEVELOPED COUNTRIES AND OTHER COUNTRIES WITH A CAPACITY TO PROMOTE FLOWS BUT MAY MAKE SENTENCE MORE ACCEPTABLE TO ARABS. USDEL DISLIKES EC-O AMENDMENT 77 INSISTING ON "INCREASING" RATHER THAN "INCREASED" AND GROUP B APPEARS PREPARED GIVE WAY ON THIS POINT IF NECESSARY. WITH REGARD TO SECOND SENTENCE FOR PARA 15, DEALING WITH ODA, IRAQI AND MOROCAN OPPOSITION TO INCORPORATE REFERENCE TO "OTHERS" VIGOROUS BUT GROUP B STILL FIRM BOTH ON HAVING REFERENCE TO "OTHER COUNTRIES WITH THE CAPACITY TO DO SO" AND ON NON-DIFFERENTIAL LANGUAGE TREATING ALL "DEVELOPED" AND "OTHER COUNTRIES". GROUP B ALSO FIRM THEREFORE ON "SHOULD SEEK (OR SHOULD ENDEAVOR) TO INCREASE" OPERATIVE FORMULATION. EC-9 HAS ALSO PROPOSED INCLUDING REFERENCE TO "RESPECTIVE ECONOMIC ABILITIES TO CONTRIBUTE" IN SECOND SENECE IN APPROPRIATE PLACE WHICH WOULD INSURE NON-DIFFERENTIAL TREATMENT. AS FINAL SENTENCE FOR PARA 15, NUMBER OF GROUP B COUNTRIES INCLUDING U.S. PROPOSED FOLLOWING: "DEVELOPING COUNTRIES SHOULD INSURE THE MOST EFFECTIVE USE OF AVAILABLE RESOURCES BOTH INTERNAL AND EXTERNAL, IN ACCORDANCE WITH THEIR DEVELOPMENT NEEDS AND OBJECTIVES", BUT THIS BEING CONFIDENTIAL

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PAGE 04 MEXICO 05241 212107Z

VIGOROUSLY RESISTED BY 77. PROPOSAL LACKS STRONG GROUP B SUPPORT. REQUEST DEPARTMENT COMMENTS AND IN PARTICULAR RESOURCES AS TO WHETHER U.S. COULD JOIN WITH EC-9 AND JAPAN IN ACCEPTING TERM "REAL RESOURCES" WHEN AND IF IT BECOMES NECESSARY.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENT DRAFT, LESS DEVELOPED COUNTRIES, FOREIGN POLICY POSITION
Control Number: n/a
Copy: SINGLE
Draft Date: 21 JUN 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: CollinP0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974MEXICO05241
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740163-0711
From: MEXICO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740625/aaaaauup.tel
Line Count: 159
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: STATE 132502
Review Action: RELEASED, APPROVED
Review Authority: CollinP0
Review Comment: n/a
Review Content Flags:
Review Date: 17 JUN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <17 JUN 2002 by kelleyw0>; APPROVED <20 FEB 2003 by CollinP0>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: UNCTAD CHARTER OF ECONOMIC RIGHTS AND DUTIES TREASURY PASS BRADFIELD
TAGS: EGEN, US, UNCTAD
To: STATE TRSY
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005